

Remarks:

Applicants submit this Reply and Amendment for consideration, after entry of the RCE. The RCE and this Amendment are in reply to the Advisory Action dated March 15, 2011 and the Final Office Action dated December 16, 2010. Upon receipt of the Final Office Action, claims 1, 3-5, and 16-31 were pending, and the Examiner rejected claims 1, 3-5, and 16-31. Support for the amendments may be found in the originally-filed specification. Applicants respectfully request reconsideration of this application.

Statements of Advisory Action and Final Office Action

The Examiner states “Remillard discloses (Col. 5, Line 62-Col. 6, Line 21, discloses a user requesting additional information regarding an advertised product via an electronic device, where the host computer provides the information,” (emphasis added). Col. 5, Line 62-Col. 6, Line 21 of Remillard are reproduced below for Examiner’s convenience.

A readout 85 on the electronic device 20 indicates the tuned station. The electronic device 20 records and stores the time and dates of operation and viewed frequency for periodic uploading to the host computer or to an appropriate facility. When the user selects a particular show matching a predefined criteria, a special menu or informational graphic is optionally displayed. Or, for certain programs, such as home shopping programming, the user may manually overlay a purchasing menu in the window 80. When a desired item is shown, the user is able to cause the electronic device 20 to issue appropriate purchase information to the interactor facility, automatically. Similarly, for other programming, such as advertisements, the user can request information regarding a product. For advertisements which are not specially designed, or which are not prearranged with the host computer, the request can be logged by station and time. Knowing the electronic device's ID, and other user information, the system 10 can record the request and still initiate a request for the specific information by accessing a history of the programming for the logged station, at the particular date and time. This system is applicable to polling events, where an user can automatically choose a menu item for a particular vote, or for making monetary contributions.

As is clear from the text above, Col. 5, Line 62-Col. 6, Line 21 of Remillard **does not disclose a host computer providing the information.** Remillard also does not **disclose the electronic device providing the information.** Moreover, assuming arguendo that Remillard disclosed or contemplated providing the information, which Applicants do not, a “host computer providing the information” is not analogous to “present additional marketing information associated with the transferred marketing information by a distinct second interface coupled to the distinct second media source to the remote recipient,” as recited by independent claim 1 (emphasis added), and similarly recited by claims 30

and 31. As presented in the Reply to the Final Office Action, since Remillard is silent as to presenting additional marketing information, Remillard is also silent to a proposed strategy being based on the additional marketing information,” as recited by independent claim 1 (emphasis added), and similarly recited by claims 30 and 31.

The Advisory Action further states “Von Kohorn discloses (Abstract, Col. 41, Line 43-Col. 42, Line 12) one or more members of a remote audience responding to a situation presentation in the television program by entering a response (i.e. proposed strategy) on a keyboard, wherein the responses relate to merchandise being advertised (i.e. marketing information.)” However, Von Kohorn is silent as to the keyboard presenting additional marketing information. Moreover, the devices of Von Kohorn appear incapable of presenting marketing information, let alone being capable of presenting additional marketing information. Moreover, claims 1 and 31 recite “wherein the marketing information and the additional information comprise different information.”

Thus, the cited references alone or in combination do not disclose or contemplate at least “present additional marketing information,” and “wherein the proposed strategy is based on the marketing information and the additional marketing information” as recited by independent claim 1 (emphasis added), and similarly recited by claims 30 and 31. For at least these reasons and the reasons advanced in the Reply dated February 16, 2011, Applicants submit that independent claims 1, 30 and 31 are allowable over the cited references.


Dependent claims 3-5, and 16-29 depend from independent claim 1. Therefore, Applicants assert that dependent claims 3-5, and 16-29 are patentable for at least the same reasons stated above for differentiating independent claims 1, 30 and 31 as well as in view of their own respective features. Accordingly, Applicants respectfully request that the Examiner reconsider and withdraw the rejection of dependent claims 3-5, and 16-29.

When a phrase similar to “at least one of A, B, or C” or “at least one of A, B, and C” is used in the claims or specification, Applicants intend the phrase to mean any of the following: (1) at least one of A; (2) at least one of B; (3) at least one of C; (4) at least one of A and at least one of B; (5) at least one of B and at least one of C; (6) at least one of A and at least one of C; or (7) at least one of A, at least one of B, and at least one of C.

Applicants respectfully submit that the pending claims are in condition for allowance. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-2814**. Applicants invite the Examiner to telephone the undersigned, if the Examiner has any questions regarding this Reply or the present application in general.

Respectfully submitted,

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By: 
Todd P. Komaromy
Reg. No. 64,680

SNELL & WILMER L.L.P.
400 E. Van Buren
One Arizona Center
Phoenix, Arizona 85004
Phone: 602-382-6321
Fax: 602-382-6070
Email: tkomaromy@swlaw.com